

## John Hart

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**From:** John Hart  
**Sent:** Thursday, September 08, 2016 2:33 PM  
**To:** 'tsutherlin1750@gmail.com'  
**Cc:** Monica Escamilla  
**Subject:** RE: Declaration  
**Attachments:** Sutherlin, Troy declaration (00269683xA901E).DOCX

Troy,

Attached please find a revised declaration. The only change that I made was to include that it was made under the penalty of perjury in the first sentence.

Thanks,

John David Hart  
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Board Certified Civil Trial Advocate, National Board of Trial Advocacy

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**From:** John Hart  
**Sent:** Thursday, September 08, 2016 12:32 PM  
**To:** 'tsutherlin1750@gmail.com' <tsutherlin1750@gmail.com>  
**Cc:** Monica Escamilla <MEscamilla@hartlaw.com>  
**Subject:** Declaration

Troy,

Attached please find a draft of a declaration for you which I have prepared based upon the information which you furnished to me. This draft is in Word format. Please review this and make any changes or revisions that you feel are necessary for the statement to be accurate. If no changes are necessary, or after you have made any necessary revisions, and the declaration accurately reflects your statements, please sign this declaration and return it to my office via email.

Thank you for your courtesy and cooperation in this matter.

Respectfully,

John David Hart  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|   |   |                                       |
|---|---|---------------------------------------|
| <b>JEROD HOBBS, RONALD LEE,</b>             | § |                                       |
| <b>JORDON ARROYO AND ARLEN</b>              | § |                                       |
| <b>JONES, individually and on behalf of</b> | § |                                       |
| <b>others similarly situated,</b>           | § |                                       |
|   | § |                                       |
| <b>Plaintiffs,</b>                          | § |                                       |
|   | § |                                       |
| <b>v.</b>                                   | § |                                       |
|   | § | <b>CIVIL ACTION NO. 4:16-cv-00770</b> |
| <b>EVO INCORPORATED, DUNEDIN</b>            | § |                                       |
| <b>ENTERPRISE INVESTMENT TRUST</b>          | § |                                       |
| <b>PLC, JONATHAN JAMES RNETON</b>           | § |                                       |
| <b>THURSBY, MAURICE MCBRIDE,</b>            | § |                                       |
| <b>SAM COPEMAN AND FRANCIS</b>              | § |                                       |
| <b>NEILL.</b>                               | § |                                       |

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**TROY SUTHERLIN DECLARATION**

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Declaration of Troy Sutherlin

I, Troy Sutherlin, declare and state as follows under the penalty of perjury:

1. My name is Troy Sutherlin. I am over 21 years of age, competent in all respects to execute this declaration. All of my statements in this declaration are true and correct and are within my personal knowledge. If called as a witness, I could and would testify competently thereto.
2. I currently reside at 3350 Plainview Road in Ardmore, Oklahoma. I have lived at this address for three years.
3. I was North American land manager for EVO Incorporated for five years from March, 2011 until February 28, 2016. In that capacity, I was involved in developing EVO Incorporated's business in the United States. My job responsibilities as North American land manager were to build the business of the company. I had responsibility in the day to day business of the company. I would go to job sites and was over sales and operations. I did not oversee accounting, billing or HR. Payroll decisions were made by upper management, including decisions as to classification, payroll and overtime pay.
4. Maurice McBride acted as interim chief executive officer for EVO Incorporated from June or July, 2015 until approximately April, 2016. I answered directly to Maurice McBride when he was interim CEO of EVO Incorporated.
5. Maurice McBride traveled to and from the United Kingdom to the United States, specifically Houston as interim CEO and also as Chairman of EVO Incorporated, and was involved in making hiring and firing decisions for EVO Incorporated. He also traveled once to Ardmore, Oklahoma for EVO Incorporated. In November or December of 2014, Maurice McBride was present in the offices of EVO Incorporated in Houston, Harris County, Texas for several days and was involved in interviewing applicants for North American president for EVO Incorporated.
6. During the time that Maurice McBride acted as interim CEO of EVO Incorporated, he was involved in day-to-day management of the company. He would sign off on my expenses. He would also sign off on monthly expense reports, vacation and other expenses for other employees. He would have weekly telephone conferences with the managers of each region, including the North American land region to discuss operational decisions which included personnel discussions. He had the final say for authority for expenditures (AFE) expenses when he was interim CEO for EVO Incorporated. All managers reported to Maurice McBride when he was interim CEO.

7. On February 28, 2016 Maurice McBride was in the offices of EVO Incorporated in Houston, Harris County, Texas with me. He advised me in that meeting that I was laid off.

EXECUTED on this \_\_\_\_ day of September, 2016.

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TROY SUTHERLIN